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PATENT
64766-5003

IN THE PATENT AND TRADEMARK OFFICE

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| In re application of: John CARLUCCI et al. | |
| Application No.: 10/730,313 | Art Unit: 3764 |
| Filed: September 2, 2004 | Examiner: Jerome W. Donnelly |
| For: MUSCLE STRETCHING DEVICE AND METHOD OF USING THE SAME | Confirmation No.: 2212 |

**CERTIFICATE OF TRANSMISSION
under 37 CFR 1.8**

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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VA 22313-1450 on October 3, 2005

by Marta Hodur
Marta Hodur

AMENDMENT TRANSMITTAL LETTER

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$60.00

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Jeffer Mangels 6th #22

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PTO/SB/21 (09-04)

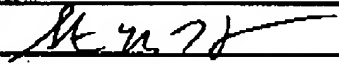
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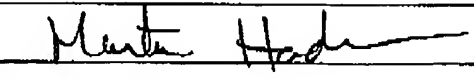
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| | | | |
|--|----------------------|------------------------|------------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | Application Number | 10/730,313 | |
| | Filing Date | 09/02/2004 | |
| | First Named Inventor | John CARLUCCI | |
| | Art Unit | 3764 | |
| | Examiner Name | Jerome W. Donnelly | |
| Total Number of Pages in This Submission | 2 | Attorney Docket Number | 64766-5003 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Authorization to Charge Deposit Account No. 10-0440 |
| <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | Jeffer, Mangels, Butler & Mammaro, LLP | | |
| Signature |  | | |
| Printed name | Steven R. Hansen | | |
| Date | October 3, 2005 | Reg. No. | 39,214 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---|------|-----------------|
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| Signature |  | | |
| Typed or printed name | Marta Hodur | Date | October 3, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 03 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
John CARLUCCI, et al.

Serial No.: 10/730,313

Filed: December 4, 2003

For: MUSCLE STRETCHING
DEVICE AND METHOD OF
USING THE SAME

Art Unit: 3764

Examiner: Jerome W. Donnelly

Confirmation No. 2212

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Marta Hodur

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir/Madam:

In the Office Action, dated August 4, 2005, the Examiner required Applicant to elect one of the following groups of claims for prosecution:

Group I- Claims 1-3, 8-11 and 19, drawn to an apparatus.

Group II- Claims 4-7 and 12-18, drawn to a method of tension relief.

Response to Restriction
Requirement, dated August 4, 2005

-1-

Appl. No. 10/730,313
Atty. Docket No. 64766-5003
Customer No. 24574

Applicant hereby elects the claims of Group II for prosecution.

If there are any remaining issues that can be resolved by telephone, Examiner Donnelly is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

JEFFER, MANGELS, BUTLER & MARMARO LLP

Dated: October 3rd, 2005

By: St R. Hansen

Steven R. Hansen, Esq.
Reg. No. 39,214
1900 Avenue of the Stars
Seventh Floor
Los Angeles, CA 90067-4308
(310) 203-8080

Response to Restriction
Requirement, dated August 4, 2005

-2-

Appl. No. 10/730,313
Atty. Docket No. 64766-5003
Customer No. 24574

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